

## GENERAL REMARKS

In response to Final Office Action mailed on 10/05/2005, applicant submits a Request for Continued Examination (RCE) and amends the claims.

Applicant also submits a new IDS. The references cited on the present IDS are the result of an International Search Report, dated April 4, 2005. Applicant was not aware of this International Search Report until November 30, 2005.

The amended claim set is presented on pages 3 to 7.

Pages 8 and 9 contain detailed remarks.

Pages 10 contains closing statements.

## DETAILED REMARKS

In Final Office Action mailed on 10/05/2005 Examiner repeated word by word the Office Action mailed on 05/04/2005, and stated: "Applicant's arguments filed 7/15/05 have been fully considered but they are not persuasive. .... Since the references teach different combinations of nitride and oxide layers, the Examiner takes the position that a two step process is disclosed wherein the nitrogen is incorporated, followed by the oxygen exposure." Applicant interprets this statement meaning that, according to Examiner's position, there is no room for further invention in the method of creating oxinitride layers, everything is already disclosed. Applicant deems the arguments filed on 7/15/05 as clearly, in detail, and step by step, refuting the relevance of the prior art as pertaining to the amended claims presented on 7/15/05. Applicant herein incorporates the "Detailed Remarks" section of the 7/15/05 Amendment, and respectfully asks Examiner, if claims are rejected, to give a more technical reason than such a sweeping statement as quoted above.

In view of the Final Office Action and the references cited in the presently submitted IDS, applicant further amended the claims.

Applicant now would like to particularly point out the main thrust of the present invention as presented in the current claim set. The two step process disclosed is capable to control the oxinitride layer thickness, and composition, on Ge based materials in the unprecedented range of below 6nm EOT, which is needed for future high performance devices. Although prior work did indeed disclose "different combinations of nitride and oxide layers", none would come even close to teach how to form such layers with the precision of the presently disclosed process consisting of the two detailed steps. For instance, reference AB (S. Maikap et al) in the "OTHER PRIOR ART" section of the presently submitted PTO 1449 form, presents a three step process for a low Ge concentration SiGe material, it nowhere suggests the present precise two step process, useful also for high Ge concentrations and pure Ge.

Applicant now discusses the herein presented claim set. Considering previous amending of claims, and various wording changes apart of substantive amending, the markups would have made the claims practically unreadable. Instead, rather than marking up the claims relative to the previously presented version of 7/15/05, applicant cancels all previous claims, and herein presents a new, clean set of claims. The correspondence between the new claim set

and the one presented on 7/15/05 is now detailed.

Claim 31 derives from previous claim 1, including the limitations of previous claims 3 and 14. The claim furthermore states that only two steps are involved in the method, in a precise order, and that this order and the chosen concentrations are needed for the layer thickness control in such an extreme thin regime. Applicant respectfully submits that new claim 31 is not anticipated, nor is rendered obvious, by any combination of the prior art made of record.

New claim 32 is previous claim 4, emphasizing the applicability of the method for pure Ge.

New claims 33 - 38 derive from previous claims 5 - 13, with new claim 34 combining previous claims 6 and 7, new claim 36 combining previous claims 9 and 10, and new claim 38 combining previous claims 12 and 13.

New claims 39 and 40 are essentially previous claims 15 and 16.

New claim 41 combines previous claims 17 and 18.

New claim 42 is essentially previous claims 19.

New claim 43 is essentially previous claims 20. Applicant would especially point out the inventiveness of this dependent claim. None of the previous art even suggests that there is a way to produce oxinitride layers of differing properties on differing locations of the wafer.

Independent claim 44 derives from previous claim 21, modified in the same manner as new claim 31.

New claim 45 is previous claims 22.

The limitation of previously presented claim 23 has been incorporated in new claim 44.

Previously presented claims 24 - 30 have already been cancelled in the 7/15/05 amendment as per election on 02/19/2005.

Independent claim 46 has no previous history. This claim presents the two step method for the case of a pure Ge wafer, and it is not being limited within the meaning of "Festo".

## CLOSING STATEMENTS

Applicant respectfully submits that as expressed in this amendment the application now claims patentable subject matter.

Applicant further submits that this application is now in condition for allowance, which action is respectfully requested.

Respectfully,

A handwritten signature in cursive script, appearing to read "George Sai-Halasz", is written over a horizontal line.

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